

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Aspire Commodities, L.P. and Raiden
Commodities, L.P.

Plaintiffs,

v.

GDF SUEZ Energy North America, Inc.;
Ennis Power Company, LLC; Wise County
Power Company, LLC; Midlothian Energy,
LLC, Hays Energy, LLC; Wharton County
Generation, LLC; and Coletto Power, LP,

Defendants.

Case No. 4:14-cv-01111

**DEFENDANTS' NOTICE OF APPEARANCE AND UNOPPOSED MOTION FOR
LEAVE TO EXCEED PAGE LIMIT**

Undersigned counsel notifies this Court of their appearance as counsel of record in the above-styled and numbered civil action for GDF SUEZ Energy North America, Inc.; Ennis Power Company, LLC; Wise County Power Company, LLC; Midlothian Energy, LLC; Hays Energy, LLC; Wharton County Generation, LLC; and Coletto Power, LP, (collectively, "Defendants"). All counsel appearing on behalf of Defendants are admitted to practice before the Southern District of Texas.

Plaintiffs served each Defendant with a Notice of Lawsuit and Request for Waiver of Service of Summons ("Waivers") on April 23, 2014. Defendants agreed to the Waivers on May 8, 2014. Defendants will be filing a motion to dismiss on June 23, 2014. Defendants respectfully request leave from this Court to file their motion to dismiss in excess of the page limits established by Court Procedure 6.A. Defendants specifically request permission to file a motion to dismiss of up to 40 substantive pages, plus exhibits. Defendants will endeavor to keep

the brief as succinct as possible, but believe the additional pages are necessary to ensure a thorough vetting of the complex legal issues involved.

DATED: June 16, 2014.

Respectfully submitted,

By: /s/ Tony L. Visage

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ENERGY, LLC; HAYS ENERGY, LLC;
WHARTON COUNTY GENERATION, LLC;
AND COLETO POWER, LP

CERTIFICATE OF SERVICE

I certify that on June 16, 2014, I electronically filed this motion with the Clerk of Court using the CM/ECF system which will send a notice of electronic filing to all counsel of record who have consented to electronic notification, including counsel for Plaintiffs, Barrington M. Hammond, Jr.

/s/ Tony L. Visage

CERTIFICATE OF CONFERENCE

I certify that on June 16, 2014, I conferred with counsel for Plaintiffs, Barrington M. Hammond, Jr., and he is not opposed to the relief sought in this motion.

/s/ Tony L. Visage